

The Honorable Lauren King

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff

v.

THANJAVUR MANAVALAN,
Defendant.

NO. CR23-192LK

**~~PROPOSED~~ PROTECTIVE
ORDER**

This matter comes before the Court on a Stipulated Motion for Protective Order.
Dkt. No. 14. The Court GRANTS the motion and hereby enters the following order:

PROTECTIVE ORDER

1. Scope

Pursuant to Federal Rule of Criminal Procedure 16(d)(1), this Protective Order governs all discovery material in any format (written or electronic) that is produced by the United States in discovery in the above-captioned case.

2. Definition of Protected Material

The investigation in this case focused on Defendant Thanjavur Manavalan's conduct as a tax preparer, so the discovery contains numerous individuals' tax-related

1 information, other sensitive financial information, and personally identifiable
2 information. Due to the volume of that information and its relevance to the charges and
3 issues in this case, redaction would be technically difficult and time-consuming, would
4 delay the disclosure of discovery, and would frustrate the intent of the discovery process.

5 The investigation also involved the use of an undercover officer (“UC”), and
6 sensitive information regarding the UC is contained in the discovery materials. If
7 distributed outside of the Defense Team—defined as defense attorneys of record, and
8 investigators, paralegals, law clerks, experts and assistants for the defense attorneys of
9 record—this information could subject the UC to harassment, retaliation, or tampering,
10 and could interfere with current investigations using the UC.

11 The above-described tax-related and other financial information, personally
12 identifiable information, and information relating to the UC are collectively referred to as
13 “Protected Material.”

14 3. Designating Protected Material

15 The government shall designate material as “Protected Material” by stamping or
16 otherwise designating the material as “Protected Material,” or by providing the Defense
17 Team with written identification of discovery materials that constitute “Protected
18 Material.” When possible, this written identification shall include the Bates number or
19 file name for any material being designated as “Protected Material.”

20 If the Defense Team disagrees with the designation of any material as “Protected
21 Material,” it shall notify the government in writing of the disagreement, identify with
22 particularity each document and file at issue, and state the basis for the challenge. The
23 Defense Team, at any time after attempting to resolve the matter by agreement with the
24 government, may apply by motion to the Court for a ruling that information designated as
25 “Protected Material” is not entitled to protected treatment under this Order. Any such
26 motion must identify with particularity each document and file at issue, and state the
27 basis for the challenge.

1 4. Permissible Disclosure of Protected Material

2 The United States will make available copies of the Protected Material to the
3 Defense Team to comply with the government's discovery obligations. Possession of the
4 Protected Material is limited to the Defense Team. The Defense Team may provide a
5 copy of the Protected Material to Manavalan so that he may view the material, but
6 Manavalan may not disseminate Protected Material outside of members of the Defense
7 Team.

8 Members of the Defense Team may not provide copies of the Protected Material
9 to other persons. Defense counsel is required to provide a copy of this Protective Order to
10 members of the Defense Team, and to Manavalan, and to obtain written consent from
11 members of the Defense Team of their acknowledgment to be bound by the terms and
12 conditions of this Protective Order, prior to providing any Protected Material to the
13 members of the Defense Team. The written consent need not be disclosed or produced to
14 the United States unless requested by the Assistant United States Attorney and ordered by
15 the Court.

16 This order does not limit employees of the United States Attorney's Office for the
17 Western District of Washington from disclosing the Protected Material to members of the
18 United States Attorney's Office, federal law enforcement agencies, and to the Court and
19 defense as necessary to comply with the government's discovery obligations.

20 5. Filing Protected Material

21 Any Protected Material that is filed with the Court in connection with pretrial
22 motions, trial, or other matters, shall be filed under seal and shall remain sealed until
23 otherwise ordered by this Court, unless otherwise agreed upon by the parties. The parties
24 are required to comply in all respects with the relevant local and federal rules of criminal
25 procedure pertaining to the sealing of court documents.
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